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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In the Matter of
Redevelopment of Spectrum to
Encourage Innovation in the
Use of New Telecommunications
Technologies

)
) ET Docket No. 92-9
)
) RM-7981
) RM-8004

REPLY COMMENTS OF THE BELL ATLANTIC COMPANIES

The Bell Atlantic Companies¹ respectfully submit these reply comments in the above-captioned proceeding.

Comsearch, in its comments, opposes the FCC's plan to grandfather existing DTS (Digital Termination Service) licensees because the current rules preclude frequency sharing within a large area of operation.² As an alternative, they suggest that the rules should be changed in a such a way to restrict DTS operators like Bell Atlantic from providing this service in the manner for which it was originally authorized.³ The Comsearch proposal would in effect require incumbent licensees to seek prior frequency coordination and licensing of any new DTS end user added to an existing node.

Comsearch is neither a DTS service provider nor customer and interestingly enough,

¹ These comments are submitted by the Bell Atlantic telephone companies - The Bell Telephone Company of Pennsylvania, the four Chesapeake and Potomac Companies, the Diamond State Telephone Company, and the New Jersey Bell Telephone Company - as well as by Bell Atlantic Personal Communications, Inc.

² See Comments of Comsearch (December 11, 1992), at 11.

³ The FCC, in January 1981, authorized DTS and in doing so saw a need to allocate new spectrum for the links that connect subscribers to the local DTS node. The Commission, in its order, determined that this new point-to-multipoint omni-directional service could not easily coexist with other point-to-point or mobile services and would therefore require a separate spectrum allocation. See FCC 81-18, released April 17, 1981.

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derives a major source of its revenue by providing frequency coordination services to potential microwave licensees. It appears that the proposal is self serving since Comsearch is the one who would stand to gain the most from this rule change.

The Comsearch proposal could allow a displaced 2 GHz point-to-point licensee to block a DTS operator from fully expanding his or her system. It would seem reasonable to conclude that the FCC had foreseen such a possibility when it recommended grandfathering DTS, subject the rules established in its 1981 DTS order.

DTS, as authorized by the FCC, offers a unique radio design which gives the licensee a high degree of flexibility in providing complete area coverage.⁴ Simply stated, once initially licensed, an operator is permitted to deploy additional stations to any azimuth of a DTS node without further frequency coordination. Moreover, these system modifications could occur without prior Commission notification. This rule enables the licensee to be more responsive to market demands.

The FCC took into consideration the uniqueness of this service when it chose to grandfather the 20 or so licensees in the 10 GHz band and to reallocate the frequencies for use by displaced 2 GHz incumbents. In taking this action, we believe that the Commission came to two preliminary conclusions. First, it would preserve the ability of DTS operators to continue to provide full service capabilities to end users. Second, that even though DTS and point-to-point services cannot coexist at the same location, a sizeable amount of usable 10 GHz spectrum would be available to accommodate some displaced 2 GHz users.

⁴ See 86 FCC 2d, at 361.

CONCLUSION

The FNPRM seeks to strike an equitable balance between the needs of incumbent 2 GHz users who must relocate to alternative facilities and those incumbent users above 2 GHz likely to be impacted by this migration. The Commission should reject those arguments designed to shift that balance to unfairly disadvantage incumbent 10 GHz DTS licensees.

Respectfully submitted,
The Bell Atlantic Companies
By Their Attorney

A handwritten signature in black ink, appearing to read "W. Roughton Jr.", written in a cursive style.

William L. Roughton, Jr.

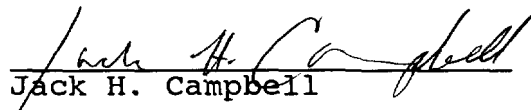
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January 27, 1993

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply Comments of the Bell Atlantic Companies" was served this 27th day of January, 1993, by delivery thereof by first class mail, postage prepaid, to the parties on the attached list.


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